



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

SKW/GMR
F. #2023R00922

271 Cadman Plaza East
Brooklyn, New York 11201

December 20, 2024

By Email and ECF

Avraham C. Moskowitz, Esq.
Moskowitz Colson Ginsberg & Schulman
80 Broad Street, Suite 1900
New York, NY 10004
Email: amoskowitz@mcsllp.com

Re: United States v. Asif Merchant
Criminal Docket No. 24-362 (EK)

Dear Mr. Moskowitz:

Enclosed please find supplemental discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure, which is being provided via USAfx, a file sharing platform. The government requests reciprocal discovery from the defendant.

The discovery is being produced pursuant to the Protective Order signed by counsel and entered by the Court on November 7, 2024. ECF No. 22. The “Sensitive Discovery Materials” are Bates-numbered (SDM) AM_001377 through (SDM) AM_001410, (SDM) AM_001585 through (SDM) AM_001589, and (SDM) AM_001639 through (SDM) AM_001699.

The government is providing the following:

- Reports generated by members of law enforcement, including evidence collection logs, property receipts, related to the execution of a search warrant in Texas, Bates-numbered AM_001377 to AM_001386;
- Reports generated by members of law enforcement related to physical surveillance, Bates-numbered (SDM) AM_001387 to (SDM) AM_001410, **marked as Sensitive Discovery Material**;
- Records produced by AT&T Inc., Bates-numbered AM_001411 to AM_001539;

- Records produced by Bank of America Corp., Bates-numbered AM_001540 to AM_001584;
- Records produced by Block Inc., Bates-numbered (SDM) AM_001585 to (SDM) AM_001589, **marked as Sensitive Discovery Material**;
- Records produced by eBay Inc., Bates-numbered AM_001590 to AM_001601;
- Records produced by the Federal Reserve Bank of New York, Bates-numbered AM_001602;
- Records produced by Google LLC, Bates-numbered AM_001603 to AM_001638;
- Records produced by JP Morgan Chase & Co., Bates-numbered (SDM) AM_001639 to (SDM) AM_001699, **marked as Sensitive Discovery Material**;
- Records produced by LinkedIn, Bates-numbered AM_001700 to AM_001702;
- Records produced by Meta Inc. related to Facebook, Bates-numbered AM_001703 to AM_001711;
- Records produced by Meta Inc. related to Instagram, Bates-numbered AM_001712 to AM_001722;
- Records produced by Microsoft Corp., Bates-numbered AM_001723 to AM_001734;
- Records produced by Southwest Airlines Co., Bates-numbered AM_002024 to AM_002052;
- Records produced by United Parcel Service, Inc. (“UPS”), Bates-numbered AM_002054 to AM_002055;
- Records produced by Walmart Inc., Bates-numbered AM_002056;
- Records produced by WhatsApp, Bates-numbered AM_002057 to AM_002061;
- Photographs taken in connection with the search of a residence in Texas on or about July 12, 2024, Bates-numbered AM_001735 to AM_002023; and

- Notations related to the defendant's travel history, Bates-numbered AM_002053;

In addition, materials Bates-numbered AM_002062 through AM_002177 are marked as Attorneys Eyes Only and are available for review at the U.S. Attorney's Office. These materials are unredacted versions of materials previously produced in redacted form. Counsel may arrange a time to review the material at the U.S. Attorney's Office. The following table provides the corresponding Bates-numbers for the redacted and unredacted materials:

Redacted (Previously Produced)	Unredacted (Available for Review)
AM 001177	AM 002177
AM 001178	AM 002178
AM 001172	AM 002087
AM 001173	AM 002088
AM 001174	AM 002089
AM 001175	AM 002090
AM 001176	AM 002091
AM 001179 – AM 001184	AM 002101 – AM 002106
AM 001185 – AM 001193	AM 002092 – AM 002100
AM 001194 – AM 001199	AM 002107 – AM 002112
AM 001200 – AM 001209	AM 002129 – AM 002138
AM 001210 – AM 001219	AM 002139 – AM 002148
AM 001220 – AM 001230	AM 002113 – AM 002123
AM 001231 – AM 001254	AM 002149 – AM 002172
AM 000004 – AM 000006	AM 002084 – AM 002086
AM 001337 – AM 001340	AM 002073 – AM 002076
AM 001345 – AM 001348	AM 002077 – AM 002080
AM 001369 – AM 001371	AM 002081 – AM 002083
AM 001066	AM 002072
AM 001055	AM 002063
AM 001053	AM 002064
AM 001057	AM 002066
AM 001056	AM 002067
AM 000264	AM 002068
AM 001063	AM 002069
AM 001064	AM 002070
AM 001065	AM 002071
AM 001058	AM 002062
AM 001055	AM 002063
AM 000264	AM 002065

You may examine the physical evidence discoverable under Rule 16, including original documents and electronic devices, by calling me to arrange a mutually convenient time.

Very truly yours,

BREON PEACE
United States Attorney

By: _____ /s/
Sara K. Winik
Gilbert M. Rein
Assistant U.S. Attorney
(718) 254-7000

Enclosures

cc: Clerk of the Court (EK) (by ECF) (without enclosures)